

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - First Regular Session

MAJORITY CAUCUS CALENDAR

March 19, 2015

BLUE SHEET #1 (concur/refuse)

BLUE SHEET #2 (concur/refuse)

Bill Number	Short Title	Committee	Date	Action
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Committee on Appropriations

Chairman: Justin Olson, LD25

Analyst: Jennifer Thomsen

Vice Chairman: Vince Leach, LD11

Intern: Meagan Swart

SB 1001

nuclear emergency appropriations; assessments

SPONSOR: KAVANAGH, LD23

SENATE 2/9/2015 (28-1-1-0)

(No: FARNSWORTH D; NV: ABLESER)

APPROP 3/4 DP (11-0-0-3-0)

(Abs: MEYER, STEVENS, UGENTI)

Committee on Children and Family Affairs

Chairman: John M. Allen, LD15

LD28

Analyst: Ingrid Garvey

Vice Chairman: Kate Brophy McGee,

Intern: Brennan Rohs

SB 1080

tribal social services agencies; information.

SPONSOR: BEGAY, LD7

SENATE 2/26/2015 (28-0-2-0)

(NV: WARD, ABLESER)

CFA 3/16 DP (8-0-0-1-0)

(Abs: TOWNSEND)

Committee on Elections

Chairman: Michelle R. Ugenti, LD23

Mesnard, LD17

Analyst: Ginna Carico

Vice Chairman: Javan D. "J.D."

Intern: Robert Lewis

SB 1171

campaign reports; late filings; notice

SPONSOR: YEE, LD20

SENATE 2/16/2015 (29-0-1-0)

(NV: MIRANDA)

ELECT 3/16 DPA (6-0-0-0-0)

SB 1184

municipal elections; ballot; disclosure

SPONSOR: GRIFFIN, LD14

SENATE 2/16/2015 (29-0-1-0)
(NV: MIRANDA)
ELECT 3/16 DP (5-0-0-1-0)
(Abs: CARTER)

Committee on Federalism and States' Rights

Chairman: Kelly Townsend, LD16

Vice Chairman: Noel W. Campbell, LD1

Analyst: Justin Riches

Intern: Samantha Oswitch

[SCM 1001](#) ~~department of education; technical correction~~
(Now: national monument designation; opposition)
SPONSOR: GRIFFIN, LD14

SENATE 3/3/2015 (20-10-0-0)
(No: DALESSANDRO, CAJERO
BEDFORD, PANCRAZI, FARLEY, BRADLEY, CONTRERAS,
HOBBS, ABLESER, QUEZADA, MEZA)
FSR 3/18 DP (5-2-0-1-0)
(No: VELASQUEZ, RIOS; Abs: WHEELER)

[SCM 1002](#) ~~technical correction; department of agriculture~~
(Now: urging Congress; rights-of-way)
SPONSOR: GRIFFIN, LD14

SENATE 3/5/2015 (20-10-0-0)
(No: DALESSANDRO, CAJERO
BEDFORD, BEGAY, FARLEY, BRADLEY, HOBBS, ABLESER
, MIRANDA, QUEZADA, MEZA)
FSR 3/18 DP (5-2-0-1-0)
(No: VELASQUEZ, RIOS; Abs: WHEELER)

[SCM 1003](#) ~~technical correction; urging the president~~
(Now: Mexican wolf; urging USFWS)
SPONSOR: GRIFFIN, LD14

SENATE 3/3/2015 (18-12-0-0)
(No: DALESSANDRO, CAJERO
BEDFORD, PANCRAZI, BEGAY, FARLEY, BRADLEY, CONTRERAS,
HOBBS, ABLESER, MIRANDA, QUEZADA, MEZA)
FSR 3/18 DP (5-1-1-1-0)
(No: VELASQUEZ; Abs: WHEELER; Present: RIOS)

Committee on Health

Chairman: Heather Carter, LD15

Vice Chairman: Regina Cobb, LD5

Analyst: Ingrid Garvey

Intern: Brennan Rohs

[SB 1282](#) teledentistry; dental hygienists; dental assistants
SPONSOR: WARD, LD5

SENATE 3/5/2015 (30-0-0-0)
HEALTH 3/17 DP (4-0-0-2-0)
(Abs: MEYER, BOYER)

Committee on Judiciary

Chairman: Edwin W. Farnsworth, LD12

Vice Chairman: Sonny Borrelli, LD5

Analyst: Gina Kash

Intern: Morganne Barrett

[SB 1035](#) domestic violence treatment programs; providers
SPONSOR: WARD, LD5

SENATE 3/6/2015 (28-0-2-0)
(NV: DIAL,ABLESER)
JUD 3/18 DP (5-0-0-1-0)
(Abs: MESNARD)

[SB 1094](#) aggressive solicitation; offense
SPONSOR: KAVANAGH, LD23

SENATE 3/4/2015 (19-10-1-0)
(No:
DALESSANDRO,BEGAY,FARLEY,BRADLEY,CONTRERA
S,HOBBS,ABLESER,MIRANDA,QUEZADA,MEZA; NV:
SHOOTER)
JUD 3/11 DP (4-2-0-0-0)
(No: FRIESE,HALE)

[SB 1116](#) fines; fees; costs; community restitution
SPONSOR: WARD, LD5

SENATE 3/6/2015 (28-0-2-0)
(NV: DIAL,ABLESER)
JUD 3/18 DP (5-0-0-1-0)
(Abs: MESNARD)

[SB 1145](#) restoration to competency; state costs
SPONSOR: GRIFFIN, LD14

SENATE 2/19/2015 (29-0-1-0)
(NV: WARD)
JUD 3/11 DP (6-0-0-0-0)

Committee on Military Affairs and Public Safety

Chairman: Sonny Borrelli, LD5
Analyst: Casey Baird

Vice Chairman: Mark Finchem, LD11
Intern: Delaney Krauss

[SB 1002](#) prisoners; compensation for labor performed
SPONSOR: KAVANAGH, LD23

SENATE 1/29/2015 (28-0-2-0)
(NV: SMITH,MEZA)
MAPS 2/26 DP (8-1-0-0-0)
(No: KERN)

Committee on Rural and Economic Development

Chairman: Thomas "T.J." Shope, LD8
Bowers, LD25
Analyst: Ryan Sullivan
VanBenschoten

Vice Chairman: Russell "Rusty"
Intern: Matthew

[SB 1163](#) ~~technical correction; deposits; fiduciary funds~~
(Now: home-based business; county regulation)
SPONSOR: FARNSWORTH D, LD16

SENATE 3/4/2015 (28-1-1-0)
(No: LESKO; NV: SHOOTER)
RED 3/17 DPA (6-2-0-0-0)
(No: GONZALES,MENDEZ)

[SB 1285](#) job training; stipends; STEM; internships
SPONSOR: YEE, LD20

SENATE	3/4/2015		(29-0-1-0)
(NV: PANCRAZI)			
RED	3/17	DP	(8-0-0-0-0)

Committee on Transportation and Infrastructure

Chairman: Rick Gray, LD21

Analyst: Justin Riches

Vice Chairman: David W. Stevens, LD14

Intern: Samantha Oswitch

[SB 1197](#) VLT exemption; fallen emergency personnel

SPONSOR: KAVANAGH, LD23

SENATE	3/5/2015		(30-0-0-0)
TI	3/17	DP	(7-0-0-2-0)
(Abs: FANN,STEELE)			

[SB 1224](#) ~~municipalities; counties; prohibited security requirements~~

(Now: lighting; vehicle equipment)

SPONSOR: KAVANAGH, LD23

SENATE	3/6/2015		(24-4-2-0)
(No: WARD,ALLEN,FARNSWORTH D,BURGESS; NV: DIAL,ABLESER)			
TI	3/17	DP	(8-0-0-1-0)
(Abs: FANN)			

Committee on Ways and Means

Chairman: Darin Mitchell, LD13

Analyst: Ryan Sullivan

VanBenschoten

Vice Chairman: Anthony Kern, LD20

Intern: Matthew

[SB 1216](#) 2015 tax correction act

SPONSOR: LESKO, LD21

SENATE	2/23/2015		(27-2-1-0)
(No: DALESSANDRO,QUEZADA; NV: CAJERO BEDFORD)			
WM	3/9	DPA	(7-0-0-2-0)
(Abs: MESNARD,UGENTI)			
APPROP	3/11	DPA	(10-0-0-4-0)
(Abs: MEYER,STEVENS,CARDENAS,UGENTI)			

MEMO

HOUSE OF REPRESENTATIVES

March 17, 2015 # 1

Senate has passed amended:

1. HB 2184 BOYER state board of education; members. CONCUR/REFUSE

26-2-2-0 EMERGENCY _____

FCC Conferees _____

MEMO

HOUSE OF REPRESENTATIVES

March 18, 2015 # 2

Senate has passed amended:

1. HB 2085 BORRELLI private investigators; security guards; regulation
 CONCUR/REFUSE

28-1-1-0

FCC Conferees

2. HB 2086 BORRELLI fingerprint clearance cards; omnibus
 CONCUR/REFUSE

28-0-2-0

FCC Conferees

3. HB 2120 GOWAN cosmetology board; director; licensing renewal
 CONCUR/REFUSE

24-5-1-0

FCC Conferees

4. HB 2147 OLSON TPT; municipal tax; pole attachment
 CONCUR/REFUSE

29-0-1-0

FCC Conferees

5. HB 2212 PETERSEN licensing; accountability; enforcement; exceeding regulation
CONCUR/REFUSE

21-8-1-0

FCC Conferees _____

6. HB 2410 STEVENS municipalities; traffic citation quota; prohibition
CONCUR/REFUSE

29-0-1-0

FCC Conferees _____



HOUSE OF REPRESENTATIVES

SB 1001

nuclear emergency appropriations; assessments

Sponsor: Senator Kavanagh

DP Committee on Appropriations

X Caucus and COW

House Engrossed

OVERVIEW

SB 1001 is an emergency measure that appropriates \$2,404,010 in Fiscal Year (FY) 2016 and \$2,412,474 in FY 2017 from the state General Fund (GF) to the Nuclear Emergency Management Fund (NEMF). The bill also levies an assessment against each consortium of public service corporations and municipal corporations operating a commercial nuclear generation station in an amount equal to that appropriated to the NEMF, plus any interest.

HISTORY

The Department of Emergency and Military Affairs (DEMA) consists of the Army and the Air National Guard, the Division of Emergency Management, and the Joint Programs Division. DEMA's Division of Emergency Management is Arizona's lead agency with the primary responsibility for the development of the state plan for off-site response to a commercial nuclear emergency. The Nuclear Emergency Management Fund (NEMF) is used by the Division of Emergency Management for administering and enforcing the state plan for off-site response to an emergency caused by an accident at a commercial nuclear generating station.

Arizona Revised Statutes (A.R.S.) § 26-306.01 requires the Legislature to levy a biennial assessment against each consortium of public service corporations and municipal corporations engaged in constructing or operating a commercial nuclear generating plant in the state. DEMA is required to make a recommendation for the amount of the biennial appropriation and assessment. The Legislature then appropriates to NEMF the amount necessary to develop, maintain and support the state response plan. NEMF monies are also used to provide equipment, personnel, facilities, training and testing necessary to comply with federally prescribed criteria.

SB 1001 provides the biennial appropriation and assessment for the support of the state response plan for commercial nuclear emergencies. Because the assessments offset the state GF appropriation there is no fiscal impact.

PROVISIONS

1. Appropriates \$2,404,010 in FY 2016 and \$2,412,474 in FY 2017 from the state GF to NEMF for the following agencies:
 - a. \$633,196 and 5.5 full-time equivalent positions (FTE) in FY 2016 and \$647,746 and 5.5 FTE's in FY 2017 to DEMA's Division of Emergency Management.
 - b. \$198,434 and 1.88 FTE's in FY 2016 and \$198,434 and 1.88 FTE's in FY 2017 for use by the Arizona Department of Agriculture for programs related to off-site nuclear emergency response plans.
 - c. \$819,663 and 5.5 FTE's in FY 2016 and \$789,663 and 5.5 FTE's in FY 2017 for use by the Radiation Regulatory Agency for programs relating to off-site nuclear emergency response plans.
 - d. \$682,916 in FY 2016 and \$706,722 in FY 2017 to DEMA's Division of Emergency Management for disbursement to Maricopa County for responsibilities under the off-site nuclear emergency response plan.
 - e. \$69,909 in FY 2016 and \$69,909 in FY 2017 to DEMA's Division of Emergency Management for disbursement to the Town of Buckeye for responsibilities under the off-site nuclear emergency response plan.

2. Assesses \$2,404,010 in FY 2016 and \$2,412,474 in FY 2017, and any applicable interest, against each consortium of public service and municipal corporations engaged in constructing or operating a commercial nuclear generating station.
3. Contains an emergency clause.



HOUSE OF REPRESENTATIVES

SB 1080

tribal social services agencies; information.

Sponsor: Senator Begay

DP Committee on Children and Family Affairs

X Caucus and COW

House Engrossed

OVERVIEW

SB 1080 expands the duty to report abuse or neglect to include reporting to a tribal law enforcement or social service agency for any Indian minor who lives on a reservation. Further, SB 1080 gives tribal social service agencies access to the Central State Repository (Repository) or the Arizona Criminal Justice Information System (ACJIS), for specified purposes.

HISTORY

Arizona Revised Statutes (A.R.S.) § 13-3620 requires that any person who reasonably believes that a minor is or has been a victim of physical injury, abuse, child abuse, a reportable offense or neglect must immediately report this information to a peace officer or to the Arizona Department of Child Safety (DCS). If the report concerns a person who does not have care, custody or control of the minor, the report must be made only to a peace officer. Persons required to report include medical practitioners, any peace officer, child welfare investigator, child safety worker, member of the clergy, priest or Christian science practitioner, the parent, stepparent or guardian of the minor, school personnel or domestic violence advocates and any other person who has responsibility for the care or treatment of the minor.

A.R.S. § 41-1750 mandates that the Arizona Department of Public Safety (DPS) is responsible for the operation of the Repository in order to collect, store and disseminate complete and accurate Arizona criminal history records and related criminal justice information. Statute authorizes the director of DPS to exchange criminal justice information between the Repository or through the ACJIS to various state and federal agencies and authorized individuals.

PROVISIONS

1. Expands the duty to report abuse or neglect to include reporting to a tribal law enforcement or social service agency for any Indian minor who lives on a reservation.
2. Gives tribal social service agencies access to the Repository or ACJIS on the submission of a fingerprint card to provide criminal history record information on prospective adoptive parents.
3. Authorizes tribal social service agencies to access the Repository or ACJIS for the purpose of evaluating the fitness of custodians or prospective custodians of juveniles.
4. Allows tribal social service agencies to access the Repository or ACJIS for the purposes of investigating or responding to reports of child abuse, neglect or exploitation.
5. Makes technical changes.



HOUSE OF REPRESENTATIVES

SB 1171

campaign reports; late filings; notice

Sponsors: Senators Yee, Burges, Kavanagh, et al.

DPA Committee on Elections

X Caucus and COW

House Engrossed

OVERVIEW

SB 1171 adds certain specified information on notices of delinquency for campaign finance reports.

HISTORY

Arizona Revised Statutes (A.R.S.) § 16-918 establishes penalties for failure to file campaign finance reports for political committees, candidates and candidate's campaign committees, and designated individuals and individual's exploratory committees. If a campaign finance report is not submitted in a timely manner, the filing officer must send a notice of delinquency by certified mail to the committee or individual responsible within 15 days after the filing officer determines the report was not filed. The political committee or individual responsible for submitting the report is liable for a \$10 late penalty for each business day the report is late, up to a maximum of \$450. The penalty for office holder expense account filings is \$5 for each day the report is late and this penalty accrues only on days the Secretary of State's office is open. Currently, the filing officer is prohibited from accepting any delinquent campaign finance report until all late penalties are paid.

PROVISIONS

1. Requires notices of delinquency for campaign finance reports to include the following:
 - a. The specific amount of any daily late penalty; and
 - b. Notice that the daily amount accrues beginning on the first day that the filing is delinquent until the filing is complete and correct and all late penalties are paid.

AMENDMENTS

Committee on Elections

1. Requires notice of how and when the daily late penalty starts and stops accruing instead of specifically requiring notice that the daily amount accrues beginning on the first day that the filing is delinquent until the filing is complete and correct and all late penalties are paid.



HOUSE OF REPRESENTATIVES

SB 1184

municipal elections; ballot; disclosure

Sponsors: Senators Griffin, Burges; Allen, et al.

DP Committee on Elections

X Caucus and COW

House Engrossed

OVERVIEW

SB 1184 outlines what must be included in publicity pamphlets for municipal elections to approve a bond, sales tax or property tax measure.

HISTORY

The duties of valuing property for tax purposes in Arizona are divided between the Department of Revenue (DOR) and the 15 county assessor's offices. Locally assessed properties are valued in each county by the assessor while central valued property is assessed by DOR. Generally, the value of owner-occupied residential property is valued on a mass appraisal system. The total tax rate assessed against a parcel of property is the combination of the primary and secondary tax rates levied by all jurisdictions. The state, counties, municipalities, community college districts, local school districts, and most special taxing districts all have the authority to levy property taxes.

Municipalities are statutorily required to send all questions on bond issues to the ballot and must receive a majority of the qualified electors' votes to proceed (Arizona Revised Statutes [A.R.S.] § 9-523). The governing body or board of a political subdivision is statutorily authorized, upon 15% of the qualified electors, to order an election to determine approval of bond indebtedness (A.R.S. § 35-452). Taxes must be levied, assessed and collected at the same time and in the same manner as other taxes are levied, assessed and collected and the proceeds are required to be kept in a special fund (A.R.S. § 35-474).

A.R.S. § 35-454 requires the governing body or board of a political subdivision to mail a copy of an informational pamphlet to every household within the political subdivision not less than 35 days before a bond election. Statutes outlines what the pamphlet must contain including the amount of the bond authorization, maximum interest rate of the bond, source of repayment and the estimated tax impact of debt service for the bonds on a class three owner-occupied residence, class one commercial property and class two agricultural or vacant property.

PROVISIONS

1. Requires the following be included in publicity pamphlets for municipal elections to approve a bond, sales tax or property tax measure:
 - a. For a bond approval, an estimate of the annual levy of property taxes sufficient to pay the debt on the bonds.
 - b. For a sales tax levy, the amount of the tax increase.
 - c. For a property tax levy, an estimate of the tax for a single-family residence that is valued at \$100,000, a commercial property that is valued at \$250,000 and vacant land that is valued at \$100,000.
2. Asserts that the following is of statewide concern for the purposes of increasing voter knowledge and government transparency:
 - a. Informing voters of the effects of any vote to approve a bond, sales tax or property measure.
 - b. The format of the publicity pamphlets for these measures.
3. Preempts all local laws, ordinances and charter provisions to the contrary.



HOUSE OF REPRESENTATIVES

SCM 1001

national monument designation; opposition

Sponsors: Senator Griffin

DP Committee on Federalism & States' Rights

X Caucus and COW

House Engrossed

OVERVIEW

SCM 1001 encourages the President of the United States to not designate the Grand Canyon Watershed National Monument in northern Arizona.

HISTORY

The Antiquities Act (Act) was established on June 8, 1906, and allows the President to declare historic landmarks, historic and prehistoric structures and other objects of historic or scientific interest as national monuments. According to the Bureau of Land Management, Arizona has five national monuments as indicated:

1. Agua Fria
2. Grand Canyon – Parashant
3. Ironwood Forest
4. Sonoran Desert
5. Vermillion Cliffs.

On January 29, 2015, the call for President Obama to use his authority to designate the Grand Canyon Watershed National Monument encompassing 1.7 million acres of the Kaibab Plateau and the Kaibab National Forest was expressed by three Arizona Congressional delegates.

The Arizona Game and Fish Commission voted to oppose the proposed Grand Canyon Watershed National Monument on May 11, 2012. Its analysis found that monument designation can lead to restrictions on proactive wildlife management, including hunting and fishing access; and national monument designation requires a very narrow management regime and could severely restrict forest management activities, such as scientifically established fire management, erosion control and invasive species treatments

PROVISIONS

1. Encourages the President to not designate the Grand Canyon Watershed National Monument in northern Arizona.
2. Urges Congress to oppose the designation of the Grand Canyon Watershed National Monument in northern Arizona.
3. Requests that any new monuments, including the proposed Grand Canyon Watershed National Monument, have expressed state and congressional approval before they are designated by the President.
4. Requests that the Governor and the Attorney General of the State of Arizona take appropriate actions to implement this Memorial.
5. Requires the Secretary of State of the State of Arizona to transmit copies of this Memorial to the President of the U.S., the President of the U.S. Senate, the Speaker of the U.S. House of Representatives, each member of Congress from the State of Arizona, the Secretary of the Interior, the Governor of the State of Arizona and the Attorney General of the State of Arizona.



HOUSE OF REPRESENTATIVES

SCM 1002

urging Congress; rights-of-way

Sponsors: Senator Griffin

DP Committee on Federalism & States' Rights

X Caucus and COW

House Engrossed

OVERVIEW

SCM 1002 urges the U.S. Congress to enact legislation consistent with the decision of the Ninth Circuit Court of Appeals in *County of Shoshone v. U.S.* confirming that state law determines the entire scope of R.S. 2477 rights-of-way.

HISTORY

Revised Statute (R.S.) 2477 provides that the right-of-way for construction of highways across public lands not otherwise reserved for public purposes is hereby granted. This federal law authorized the construction of roads across federal public lands. It was enacted in 1866 and repealed in 1976 by Congress. Following the repeal of R.S. 2477, Congress enacted the Federal Land Policy Management Act (FLPMA). Section 701 of the FLPMA preserved all existing R.S. 2477 rights-of way that existed at the time of its passage.

The FLPMA lacks a formal administrative or judicial process to confirm the state or counties' ownership of R.S. 2477 rights-of-way. Each year, hundreds of individuals and companies apply for rights-of-way on or across public lands. A rights-of-way grant is an authorization to use a specific piece of public land for specific facilities for a specific period of time. Currently, the vast majority of the granted rights-of-way are authorized by Title V of FLPMA.

PROVISIONS

1. Urges the U.S. Congress to enact legislation consistent with the decision of the Ninth Circuit Court of Appeals in *County of Shoshone v. U.S.* confirming that state law determines the entire scope of R.S. 2477 rights-of-way.
2. Requires the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the U.S., the President of the U.S. Senate, the Speaker of the U.S. House of Representatives and each Member of Congress from the State of Arizona.



HOUSE OF REPRESENTATIVES

SCM 1003

Mexican wolf; urging USFWS

Sponsors: Senators Griffin: Shooter

DP Committee on Federalism & States' Rights

X Caucus and COW

House Engrossed

OVERVIEW

SCM 1003 expresses the Legislature's concerns regarding the presence of Mexican wolves in Arizona and encourages Arizona's Governor and Attorney General to defend against overreaching federal action.

HISTORY

The Mexican Wolf Recovery Plan was adopted in 1982. Its primary goal was to originally re-establish at least 100 wild wolves located in east-central Arizona and western New Mexico. The Mexican Wolf Recovery Project is a cooperative effort administered by the following agencies: U.S. Fish and Wildlife Services (USFWS), Arizona Game and Fish Department (AGFD), U.S. Department of Agriculture (USDA) Wildlife Services and USDA Forest Service. The reintroduced Mexican wolf population was initiated in March 1998 and has been designated as a nonessential experimental population under Section 10(j) of the Endangered Species Act (ESA). A nonessential designation means that, on the basis of the best available information, the experimental population is not essential for the continued existence of the species. Thus, regulatory restrictions are considerably reduced. At the end of 2014, the Mexican Wolf Interagency Field Team documented a minimum of 109 Mexican wolves in the wild in Arizona and New Mexico.

In June of 2013, the USFWS published a proposed 10(j) rule to consider changes to the current geographic boundaries and management regulations established under the 1998 Final Rule. On January 12, 2015, the USFWS issued the Final Revision to the Regulations for the Nonessential Experimental Population of the Mexican Wolf. Specifically, the revised rule: expands the area of initial release from captivity; expands the total area the Mexican wolf can occupy; identifies Zones 1, 2, and 3 as different management areas; extends the Mexican Wolf Experimental Population Area's (MWEPA) southern boundary from I-10 to the U.S.- Mexico border in Arizona and New Mexico; modifies the conditions that determine issuance of a permit to allow livestock owners or their agents to take a wolf; and provides for a population objective of 300 to 325 wolves in the MWEPA.

On January 6, 2015, the AGFD provided a Notice of Intent to sue the U.S. Department of Interior and USFWS for the failure to develop a recovery plan for the Mexican wolf that includes objective, measureable criteria that will lead to recovery and delisting.

PROVISIONS

1. Urges the USFWS to:
 - a. Focus future Mexican wolf introduction efforts on remote areas within the northern Sierra Madre Occidental mountain range;
 - b. Halt additional introductions of Mexican wolves in Arizona; and
 - c. Shift the primary responsibility for administration of the Mexican wolf program in Arizona to the AGFD.
2. Requests the Governor and the Attorney General to take appropriate actions to uphold the state's responsibilities with respect to the recovery plan and defend against overreaching federal regulations.
3. Requests the Secretary of the Interior to develop a recovery plan that includes objective, measureable criteria that will lead to recovery and delisting.
4. Requires the Secretary of State of the State of Arizona transmit copies of this Memorial to the Director of the USFWS, the Secretary of the U.S. Department of the Interior, the Attorney General of the State of Arizona, the Governor of the State of Arizona, the President of the U.S., the President of the U.S. Senate, the Speaker of the U.S. House of Representatives and each Member of Congress from the State of Arizona.



HOUSE OF REPRESENTATIVES

SB 1282

teledentistry; dental hygienists; dental assistants

Sponsors: Senators Ward, Bradley, Dalessandro, et al.

DP Committee on Health

X Caucus and COW

House Engrossed

OVERVIEW

SB 1282 creates expanded function dental assistants (EFDA), provides for teledentistry and modifies statute relating to affiliated practice relationships (APR).

HISTORY

Laws 1935, Chapter 24, § 6 established the Arizona State Board of Dental Examiners (Board) with the mission to provide professional, courteous service and information to the dental profession and the general public through the examination, licensure and complaint adjudication and enforcement processes and to protect the oral health, safety and welfare of Arizona citizens through a fair and impartial system.

Arizona Revised Statutes (A.R.S.) § 32-1281 outlines the services that a dentist and dental hygienist are permitted to perform on patients. Some of these services include prophylaxis, scaling, closed subgingival curettage, administering local anesthetics, placing of periodontal sutures and examining the oral cavity and surrounding structures.

Additionally, statute allows a dentist and dental hygienist to enter into an APR and specifies that any dentist and hygienist who enter into an APR must notify the Board, as well as provide a copy of the agreement including any amendments. The Board must also be notified within 30 days after the termination date of an APR if the date is different than the contract termination date.

On December 17, 2014 the House of Representatives Health and Senate Health and Human Services Committee of Reference (COR) met to consider the sunrise application of the Arizona Dental Association relating to a change in the scope of practice of dental assistants in Arizona and provide the Board the statutory authority to register and establish training and examination standards for EFDAs. The COR recommended that a bill be drafted for consideration by the full Legislature containing the items submitted in the sunrise application received from the Arizona Dental Association.

PROVISIONS

Dental Hygienists

1. Outlines the duties of a dental hygienist to include the following:
 - a. Inspecting the oral cavity and surrounding structures for the purposes of gathering clinical data to facilitate a diagnosis;
 - b. Periodontal screening or assessment;
 - c. Exposing and processing dental radiographs; and
 - d. Those restorative functions permissible for an expanded function dental assistant if qualified pursuant to statute.
2. Allows a dental hygienist employed by or working under contract or as a volunteer for a public health agency, institution or school to perform a screening or assessment and apply sealants and topical fluoride.

Affiliated Practice

3. Relocates and modifies statute relating to APRs.
4. Requires a dental hygienist to meet either of the following in order to be eligible to enter into an APR:
 - a. Have held an active license for at least five years and be actively engaged in dental hygiene practice for at least 500 hours in each of the two years immediately preceding the affiliated practice relationship; or

- b. Hold a bachelor degree in dental hygiene, have held an active license for at least three years and be actively engaged on dental hygiene practice for at least 500 hours in each of the two years preceding the affiliated practice relationship.
- 5. Requires an affiliated dental hygienist to consult with the affiliated practice dentist if the proposed treatment is outside the scope of the agreement.
- 6. Mandates the patient to be informed in writing that the dental hygienist providing care is a licensed dental hygienist and that the care does not take the place of a diagnosis or treatment plan by a dentist.
- 7. Specifies that a dental hygiene services contract entered into by licensees who have entered into an APR are only allowed to be entered into by:
 - a. A health care organization or facility;
 - b. A long-term care facility;
 - c. A public health agency or institution;
 - d. A public or private school authority;
 - e. A government-sponsored program;
 - f. A private nonprofit or charitable organization; or
 - g. A social service organization or program.
- 8. Prohibits an affiliated practice dental hygienist from providing dental hygiene services in a setting that is not outlined in statute.
- 9. Asserts that a dentist in an APR must not permit the provision of dental hygiene services by more than three affiliated practice dental hygienists at any one time.

Expanded Function Dental Assistants

- 10. Permits a dental assistant to perform expanded functions on successful completion of a Board-approved EFDA training program completed at an institution accredited by the Commission on Dental Accreditation of the American Dental Association as well as an examination approved by the Board.
- 11. Specifies that expanded functions include the placement, contouring and finishing of direct restorations or the placement and cementation of prefabricated crowns following the preparation of the tooth by a licensed dentist and requires a licensed dentist to determine the types of restorative materials to be used.
- 12. Allows an EFDA to place interim therapeutic restorations under the supervision of a licensed dentist following a consultation conducted through teledentistry.
- 13. Allows an EFDA to apply sealants and fluoride varnish under the direction of a licensed dentist.
- 14. Allows a dental hygienist to perform expanded restorative functions following a course of study and examination equivalent to that required of an EFDA.

Teledentistry

- 15. Requires a dentist or dental provider, who is providing care by way of teledentistry, to obtain verbal or written consent from the patient or patient's health care decision maker and mandates the dentist to document verbal consent in a patient's record.
- 16. Provides that in any teledentistry interaction, the patient is entitled to all existing confidentiality protections specified in statute.
- 17. Stipulates that all reports resulting from a teledentistry consultation are part of a patient's dental record as prescribed in statute.
- 18. Prohibits the dissemination of any images or information identifiable to a specific patient for research or educational purposes, unless authorized by state or federal law or the patient consents.
- 19. Exempts the transmission of diagnostic images to another health care provider or dental specialist or the reporting of diagnostic test results by that specialist from statutory consent requirements.
- 20. Asserts that teledentistry provisions apply to the practice of teledentistry in this state and does not expand, reduce or otherwise amend the licensing requirements for dentists or dental providers.

Miscellaneous

- 21. Relocates the statutory definition of unprofessional conduct as it relates to dentistry into its own section of law.
- 22. Requires, as temporary law, the Arizona Health Care Cost Containment System to implement teledentistry service for enrolled members who are under the age of 21.

23. Defines *teledentistry, assessment, screening, affiliated practice relationship, board, dental provider, dentist and health care decision maker*.
24. Makes technical and conforming changes.



HOUSE OF REPRESENTATIVES

SB 1035

domestic violence treatment programs; providers

Sponsor: Senator Ward

DP Committee on Judiciary

X Caucus and COW

House Engrossed

OVERVIEW

SB 1035 allows the court to approve a domestic violence treatment provider pursuant to rules adopted by the Supreme Court.

HISTORY

Arizona Revised Statutes § 13-3601.01 was added by Laws 1997, Chapter 102, § 1. The law specifies that a judge shall order a person who is convicted of a misdemeanor domestic violence offense to complete a domestic violence offender treatment program that is provided by a facility approved by the Department of Health Services or a probation department. If a person has previously been ordered to complete a domestic violence offender treatment program, the judge is required to order the person to complete a domestic violence offender treatment program unless the judge deems that alternative sanctions are more appropriate.

If a person, within a period of 60 months, has previously been convicted of a violation of a domestic violence offense or is convicted of a misdemeanor domestic violence offense and has been convicted of an act of domestic violence in another state, the judge may order the person to be placed on supervised probation and the person may be incarcerated as a condition of probation. Statute requires the person ordered to complete a domestic violence offender treatment program to pay for the cost of the program.

PROVISIONS

1. Allows the court to approve a domestic violence treatment provider pursuant to the rules adopted by the Supreme Court.



HOUSE OF REPRESENTATIVES

SB 1094

aggressive solicitation; offense

Sponsor: Senator Kavanagh

DP Committee on Judiciary

X Caucus and COW

House Engrossed

OVERVIEW

SB 1094 revises the offense of loitering by removing a provision making it unlawful for persons to beg in a public place and prescribes the offense of aggressive solicitation.

HISTORY

Arizona Revised Statutes § 13-2905 was added by Laws 1977, Chapter 142, § 91. The law specifies that a person commits loitering if intentionally: 1) is present in a public place and in an offensive manner or in a manner likely to disturb the public peace solicits another person to engage in any sexual offense; 2) is present in a transportation facility and after a reasonable request to cease or unless specifically authorized to do so solicits or engages in any business, trade or commercial transactions involving the sale of merchandise or services; 3) is present in a public place to beg, unless specifically authorized by law; 4) is present in a public place, unless specifically authorized by law, to gamble with any cards, dice or other similar gambling devices; 5) is present in or about a school, college or university building or grounds after a reasonable request to leave and either does not have any reason or relationship involving custody of or responsibility for a pupil or student or any other specific legitimate reason for being there or does not have written permission to be there from anyone authorized to grant permission; 6) except as provided in section 13-3969, subsection A, solicits bail bond business inside a court building or immediately around or near the entrance of a county or city jail.

PROVISIONS

1. Revises the offense of loitering by removing a provision making it unlawful for persons to be in a public place.
2. Prescribes the offense of aggressive solicitation by making it unlawful for a person to solicit any money or other thing of value or solicit the sale of goods or services:
 - a. Within 15 feet of any bank entrance or exit or any automated teller machine if the person does not have permission of the bank or the proprietor of the automated teller machine to be there.
 - b. In a public area by:
 - i. Intentionally, knowingly or recklessly making any physical contact with or touching another person in the course of the solicitation without the person's consent.
 - ii. Approaching or following the person being solicited in a manner that is intended or likely to cause a reasonable person to fear imminent bodily harm to oneself or another or damage to or loss of property or that is reasonably likely to intimidate the person being solicited into responding affirmatively to the solicitation.
 - iii. Continuing to solicit the person after the person being solicited has clearly communicated a request that the solicitation stop.

- iv. Intentionally, knowingly or recklessly obstructing the safe or free passage of the person being solicited or requiring the person to take evasive action to avoid physical contact with the person making the solicitation. This subdivision does not apply to acts that are authorized as an exercise of one's constitutional right to picket or protest.
 - v. Intentionally, knowingly or recklessly using obscene or abusive language or gestures that are intended or likely to cause a reasonable person to fear imminent bodily harm or that are reasonably likely to intimidate the person being solicited into responding affirmatively to the solicitation.
- 3. Prescribes a petty offense for the offense of aggressive solicitation.
 - 4. Defines *automated teller machine*, *bank*, *public area* and *solicit*.



HOUSE OF REPRESENTATIVES

SB 1116

finer; fees; costs; community restitution

Sponsor: Senator Ward

DP Committee on Judiciary

X Caucus and COW

House Engrossed

OVERVIEW

SB 1116 allows the court to order a defendant to perform community restitution if the defendant is unable to pay or has willfully failed to pay a fine, fee, restitution or incarceration costs.

HISTORY

Arizona Revised Statutes § 13-810 was added by Laws 1977, Chapter 142 § 49. This statute outlines the consequences of nonpayment of fines, fees, and restitution or incarceration costs. Specifically, the court, on motion of the prosecuting attorney or on its own motion, shall require the defendant to show cause why the defendant's default should not be treated as contempt and may issue a summons or a warrant of arrest for the defendant's appearance. Statute requires the clerk of the court to notify the prosecutor on a monthly basis if a defendant defaults on payments. The law allows the court, the prosecuting attorney or a person entitled to restitution to examine the defendant under oath concerning the defendant's financial condition, employment and assets or on any other matter relating to the defendant's ability to pay restitution.

If the court finds that the defendant has willfully failed to pay a fine, fee, restitution or incarceration costs or finds that the defendant has intentionally refused to make a good faith effort to obtain the monies required for the payment, the court is required to find that the default constitutes contempt. Penalties for contempt include incarceration, revocation of probation, parole or community supervision, sentence the defendant to prison and enter an order for a garnishment.

PROVISIONS

1. Allows the court to order a defendant to perform community restitution if the court finds that the defendant has willfully failed to pay a fine, fee, restitution or incarceration costs or finds that the defendant has intentionally refused to make a good faith effort to obtain the monies required for the payment.
2. Allows lower jurisdiction courts to order a defendant to perform community restitution in lieu of the payment for all or part of the fine, fee, assessment or incarceration costs if the court finds that the defendant is unable to pay all or part of the fine, fee, assessment or incarceration costs.
3. Specifies that service performed shall be at a rate of \$10 per hour.
4. Makes a technical change.
5. Provides a delayed effective date.



HOUSE OF REPRESENTATIVES

SB 1145

restoration to competency; state costs

Sponsors: Senator Griffin

DP Committee on Judiciary

X Caucus and COW

House Engrossed

OVERVIEW

SB 1145 requires the state to pay the competency restoration treatment costs of a defendant who has been convicted of an offense, but who is not competent to be sentenced.

HISTORY

Arizona Revised Statutes (A.R.S.) § 13-4512 was added by Laws 1995, Chapter 250, § 3. The law specifies that the court may order a defendant to undergo out of custody competency restoration treatment. If the court determines that confinement is necessary for treatment, the court shall commit the defendant for competency restoration treatment to the competency restoration treatment program designated by the county board of supervisors. If the county board of supervisors has not designated a program to provide competency restoration treatment, the court may commit the defendant for competency restoration treatment to the Arizona State Hospital (ASH), subject to funding appropriated by the Legislature to ASH for inpatient competency restoration treatment services, or to any other facility that is approved by the court.

Statute requires a defendant to pay the cost of inpatient, in custody competency restoration treatment unless otherwise ordered by the court. If the court finds the defendant is unable to pay all or a portion of the costs of inpatient, in custody treatment, the state shall pay the costs of inpatient, in custody competency restoration treatment at ASH until 1) seven days, excluding Saturdays, Sundays or other legal holidays, after the hospital submits a report to the court stating that the defendant has regained competency or that there is no substantial probability that the defendant will regain competency within twenty-one months after the date of the original finding of incompetency; 2) the treatment order expires; 3) seven days, excluding Saturdays, Sundays or other legal holidays, after the charges are dismissed. If the competency proceedings arise out of a municipal court proceeding, the county or city shall pay the hospital costs that are incurred after the same period time listed above, and shall also pay for the costs of inpatient, in custody competency restoration treatment in court approved programs that are not programs at ASH.

PROVISIONS

1. Requires the state to pay the competency restoration treatment costs of a defendant who has been convicted of an offense, but who is not competent to be sentenced.



HOUSE OF REPRESENTATIVES

SB 1002

prisoners; compensation for labor performed

Sponsor: Senator Kavanagh

DP Committee on Military Affairs and Public Safety

X Caucus and COW

House Engrossed

OVERVIEW

SB 1002 increases the hourly wage cap for Arizona Department of Corrections (ADC) inmate labor.

HISTORY

ADC owns and operates ten prison facilities and contracts with six additional private prison facilities to provide incarceration services in Arizona. Arizona Revised Statutes (A.R.S.) § 31-251 authorizes the ADC director to require all able-bodied ADC inmates to engage in labor activities. Most work opportunities fall under the Work Incentive Pay Plan (WIPP) and involve a variety of assignments on prison grounds. Some institutions have opportunities for lower custody inmates to perform work under an intergovernmental agreement (IGA) with state or local entities. Inmate pay rates are based on the inmate's Earned Incentive Program phase level, work assignment skill level, and any pay modification criteria that may apply. ADC also offers a Work-Based Education program that incorporates a combination of classroom education and work experience to provide inmates with vocational skills. Hourly compensation for work opportunities within ADC or via an IGA with a state or local entity may not exceed \$0.50 per hour (A.R.S. § 31-254).

PROVISIONS

1. Raises the hourly wage cap for inmate labor performed for ADC or a government entity pursuant to an IGA from \$0.50 per hour to \$1.50 per hour.
2. Makes technical changes.



HOUSE OF REPRESENTATIVES

SB 1163

home-based business; county regulation

Sponsor: Senator Farnsworth D

DPA Committee on Rural and Economic Development

X Caucus and COW

House Engrossed

OVERVIEW

SB 1163 prohibits a county from restricting certain actions by the owner of a home-based business.

HISTORY

Arizona Revised Statutes (A.R.S.) § 11-801 defines a zoning ordinance as an ordinance that is adopted by the county board of supervisors and that contains zoning regulations together with a map setting forth the precise boundaries of zoning districts within which the various regulations are effective. A.R.S. § 11-812 prohibits a county ordinance, at the time of its effect, from containing any provision affecting:

- Existing uses of property;
- The right to the property's continued use; and/or
- The reasonable repair or alteration of the property for the purpose that it is used for.

PROVISIONS

3. States that no ordinance shall restrict or otherwise regulate the owner of a home-based business that holds a valid license from:
 - a. Making residential property improvements to add doors, shelving or display racks for use by the home-based business.
 - b. Displaying a temporary commercial sign on the residential property during business hours, if the sign is not more than 24 inches by 24 inches.
4. States that counties are not precluded from imposing reasonable operating requirements on a home-based business or a residential property used by a home-based business.
5. Defines *home-based business* and *license*.

AMENDMENTS

Committee on Rural and Economic Development

1. States that no ordinance shall restrict or otherwise regulate the owner of a home-based business that holds a valid license from selling or offering for sale any *goods*.
2. Defines *goods* as any merchandise, equipment, products, supplies or materials.
3. Makes conforming changes.



HOUSE OF REPRESENTATIVES

SB 1285

job training; stipends; STEM; internships
Sponsors: Senators Yee, Allen, Begay, et al.

DP Committee on Rural and Economic Development

X Caucus and COW

House Engrossed

OVERVIEW

SB 1285 allows monies from the Arizona Job Training Program Fund (Fund) to be used as stipends for internship opportunities in science, technology, engineering and mathematic (STEM) fields.

HISTORY

Pursuant to Arizona Revised Statutes § 41-1541 the Arizona Jobs Training Program is established to provide grants to businesses that are training new employees or increasing the skill level of current employees. To be eligible for the grant, employers must demonstrate that the workers receiving the training will receive an increase in compensation upon completion of the training. The Job Training Program offers two types of grants:

- A “Net New Grant” allows an employer creating new jobs to apply for a grant to reimburse up to 75% of eligible training expenses.
- An “Incumbent Grant” allows an employer to apply for a grant to reimburse up to 50% of expenses for eligible training that increases the skill level of current employees.

Eligible training expenses include:

- Charges assessed by unaffiliated qualified training providers.
- Training material purchases and production.
- Training facility rental expenses.
- Hourly-wages of in-house qualified training providers.
- Travel costs.
- Other expenses that the Arizona Commerce Authority finds are in the intent of the program.

PROVISIONS

1. Adds internship opportunities for STEM students and educators in STEM fields to the list of eligible programs the Fund may be utilized for.
2. Permits an applicant for STEM internship opportunities to apply each Fiscal Year for monies in the Fund in an amount not to exceed:
 - a. \$5,000 for each high school and undergraduate student.
 - b. \$8,000 for each graduate student or educator.
3. Requires a minimum of 50% of the remaining balance in the Fund from the prior year to be used to provide internship stipends pursuant to this Act.



HOUSE OF REPRESENTATIVES

SB 1197

VLT exemption; fallen emergency personnel

Sponsors: Senator Kavanaugh

DP Committee on Transportation & Infrastructure

X Caucus and COW

House Engrossed

OVERVIEW

SB 1197 provides an exemption from the vehicle license tax (VLT) and registration fee for a vehicle owned by a spouse or dependent of a law enforcement officer, firefighter or emergency responder who was killed in the line of duty.

HISTORY

A motor vehicle is required to be registered with the Arizona Department of Transportation's (ADOT) Motor Vehicle Division (MVD) for the current registration year. The registration process requires the owner to show proof that the vehicle passed an emissions inspection, if required, and to pay the applicable VLT, registration fee, air quality compliance sticker fee and air quality research fee.

Currently, the VLT is based on an assessed value of 60 percent of the manufacturer's base retail price reduced by 16.25 percent for each year after the vehicle was first registered in Arizona. The VLT rate is \$2.80 for new vehicles and \$2.89 for used vehicles for each \$100 of the assessed value of the vehicle. The average VLT in Arizona is approximately \$127. The fee to register a vehicle is \$8. Monies collected from VLT are distributed to the State Highway Fund and to local governments.

PROVISIONS

1. Specifies that beginning January 1, 2016, the registering officer may not collect a VLT or registration fee for a vehicle owned by a surviving spouse or a surviving dependent of a deceased law enforcement officer, firefighter or emergency responder who was killed in the line of duty or who died from injuries suffered in the line of duty on or after April 5, 1933.
2. States that the exemption applies to the surviving spouse until the surviving spouse remarries or passes away.
3. States that the exemption applies until the person is no longer considered a dependent.
4. Limits a surviving spouse or surviving dependent to only one vehicle for the exemption under this legislation.
5. Defines *dependent* as an unmarried child of a deceased law enforcement officer, firefighter or emergency responder who meets one of the following qualifications:
 - a. Is under eighteen years of age;
 - b. Is at least eighteen years of age and under twenty-three years of age only during any period that the child is a full-time student; or
 - c. Is under a disability that began before the child attained twenty-three years of age and remains a dependent of the surviving spouse or a guardian.



HOUSE OF REPRESENTATIVES

SB 1224

lighting; vehicle equipment

Sponsors: Senator Kavanagh; Representative Coleman: Senator Allen, et al.

DP Committee on Transportation & Infrastructure

X Caucus and COW

House Engrossed

OVERVIEW

SB 1224 clarifies statute with regard to tail lamps and requires both lamps on a motor vehicle to be functional and in good working condition.

HISTORY

Arizona Revised Statutes (A.R.S.) § 28-939 requires a motor vehicle to be equipped with one or more lamps or mechanical signal devices that are capable of clearly indicating an intention to turn either left or right and that is visible from both the front and rear. A.R.S. § 28-939 also requires a motor vehicle to have a stop lamp on the rear that is activated by the use of the break. The stop lamp and signal lamps must be visible from at least 100 feet in the daylight or nighttime. These lamps and stop lamps must be maintained at all times in good working condition and not project a glaring or dazzling light.

PROVISIONS

1. Requires both tail lamps and lamps to be fully functioning and working on a motor vehicle.
2. Makes technical and conforming changes.



HOUSE OF REPRESENTATIVES

SB 1216

2015 tax correction act

Sponsor: Senator Lesko

DPA Committee on Ways and Means

DPA Committee on Appropriations

X Caucus and COW

House Engrossed

OVERVIEW

SB 1216 corrects errors and removes obsolete language, as suggested by the Arizona Department of Revenue (DOR) and Legislative Council.

HISTORY

DOR and Legislative Council annually review statutes related to taxation and make recommendations to correct errors, remove obsolete language, and address clarity and conformity. SB 1216 makes statutory corrections based on the recommendations of DOR and Legislative Council.

PROVISIONS

1. Clarifies language regarding taxes filed by mail that do not have an official postmark. (*Section 1*)
2. Removes the requirement that an applicant for a contractor's license must possess a transaction privilege tax (TPT) license. (*Section 3*)
3. Changes the date that DOR must submit annual reports regarding indebtedness of political subdivisions from December 15th to January 15th. (*Section 4*)
4. Changes the date and frequency the Director of DOR must submit a report regarding lost revenues for all state tax expenditures. (*Section 5*)
5. Confirms statute to comply with TPT changes that include:
 - a. Repeal of Arizona Revised Statutes § 42-5029. (*Section 7*)
 - b. Clarification of tax due and delinquent dates. (*Section 8*)
 - c. Removal of expired provisions and outdated statutes. (*Sections 10 and 13*)
6. Clarifies when gross proceeds resulting from destination management services are subject to tax. (*Section 9*)
7. Clarifies specific nonprofits that are exempt from storage and use tax. (*Section 14*)
8. Clarifies acceptable data that DOR may use to determine the value of electric distribution and transmission property may be drawn from. (*Section 17*)
9. Clarifies the definition of *multistate service provider*. (*Section 19*)
10. Makes technical and conforming changes.

AMENDMENTS

Committee on Ways and Means

1. Makes technical and conforming changes.

Committee on Appropriations

2. Reverts the reporting date requirements for the DOR reports on indebtedness and state tax expenditures.